

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86802355
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 107
<b>MARK SECTION</b>	
<b>MARK FILE NAME</b>	http://tmng-al.uspto.gov/resting2/api/img/86802355/large
<b>LITERAL ELEMENT</b>	TOP DOC CONNECT
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>COLOR(S) CLAIMED (If applicable)</b>	Color is not claimed as a feature of the mark.
<b>DESCRIPTION OF THE MARK (and Color Location, if applicable)</b>	The mark consists of THE WORDING TOP DOC CONNECT. THE "O" IN CONNECT CONTAINS A PLUS SIGN (+) AND A SPIKE ON THE BOTTOM.
<b>GOODS AND/OR SERVICES SECTION (035)(current)</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>DESCRIPTION</b>	
PHYSICIAN REFERRALS; APPOINTMENT SCHEDULING SERVICES; MAINTAINING A REGISTRY AND DATA BASE OF PHYSICIANS BY SPECIALTY, SUB SPECIALTY, AND SPECIFIC INTEREST, FOR THE PURPOSE OF ASSISTING PROSPECTIVE PATIENTS IN MAKING PHYSICIAN AND CLINICAL SELECTION DECISIONS; CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE COORDINATION OF APPOINTMENTS; CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, REFERRALS TO A PANEL OF EXPERTS FOR INPUT AND ASSISTANCE AND OBJECTIVE INFORMATION AND HEALTH CARE DECISION SUPPORT, VIRTUAL EXPERT SECOND OPINIONS, COMPREHENSIVE PHYSICALS, AND HEALTH CARE PROVIDER SELECTIONS, AND ASSISTANCE IN FOLLOW UP CARE	
<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (035)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>TRACKED TEXT DESCRIPTION</b>	
PHYSICIAN REFERRALS; APPOINTMENT SCHEDULING SERVICES; MAINTAINING A REGISTRY AND DATA BASE OF PHYSICIANS BY SPECIALTY, SUB SPECIALTY, AND SPECIFIC INTEREST, FOR THE PURPOSE OF ASSISTING PROSPECTIVE PATIENTS IN MAKING PHYSICIAN AND CLINICAL SELECTION DECISIONS; <del>CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE COORDINATION OF APPOINTMENTS;</del> <u>CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE COORDINATION OF APPOINTMENTS;</u> <del>CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, REFERRALS TO A PANEL OF EXPERTS FOR INPUT AND ASSISTANCE AND OBJECTIVE INFORMATION AND HEALTH CARE DECISION SUPPORT, VIRTUAL EXPERT SECOND OPINIONS, COMPREHENSIVE PHYSICALS, AND HEALTH CARE PROVIDER SELECTIONS, AND ASSISTANCE IN FOLLOW UP CARE;</del> <u>CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, REFERRALS TO A PANEL OF EXPERTS FOR INPUT AND ASSISTANCE AND OBJECTIVE INFORMATION AND HEALTH CARE DECISION SUPPORT, VIRTUAL EXPERT SECOND OPINIONS, COMPREHENSIVE PHYSICALS, AND HEALTH CARE PROVIDER SELECTIONS, AND ASSISTANCE IN FOLLOW UP CARE</u>	
<b>FINAL DESCRIPTION</b>	

PHYSICIAN REFERRALS; APPOINTMENT SCHEDULING SERVICES; MAINTAINING A REGISTRY AND DATA BASE OF PHYSICIANS BY SPECIALTY, SUB SPECIALTY, AND SPECIFIC INTEREST, FOR THE PURPOSE OF ASSISTING PROSPECTIVE PATIENTS IN MAKING PHYSICIAN AND CLINICAL SELECTION DECISIONS; CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE COORDINATION OF APPOINTMENTS; CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, REFERRALS TO A PANEL OF EXPERTS FOR INPUT AND ASSISTANCE AND OBJECTIVE INFORMATION AND HEALTH CARE DECISION SUPPORT, VIRTUAL EXPERT SECOND OPINIONS, COMPREHENSIVE PHYSICALS, AND HEALTH CARE PROVIDER SELECTIONS, AND ASSISTANCE IN FOLLOW UP CARE

FILING BASIS	Section 1(b)
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**GOODS AND/OR SERVICES SECTION (039)(no change)**

**GOODS AND/OR SERVICES SECTION (044)(current)**

INTERNATIONAL CLASS	044
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**DESCRIPTION**

HEALTH CARE SERVICES, NAMELY, PROVIDING A DATA BASE OF HEALTH CARE PROVIDERS BASED ON SPECIALTY, SUB SPECIALTY AND SPECIFIC INTEREST AND FEATURING INPUTTING AND COLLECTION OF DATA AND INFORMATION ALL FOR TREATMENT AND DIAGNOSTIC PURPOSES; INTERNET-BASED HEALTH CARE INFORMATION SERVICES; PROVIDING HEALTH CARE INFORMATION BY TELEPHONE AND THE INTERNET; PROVIDING HEALTH INFORMATION; PROVIDING INFORMATION, NEWS AND COMMENTARY IN THE FIELD OF NUTRITION, HEALTH AND WELLNESS; CONSULTING SERVICES IN THE FIELD OF HEALTH; HEALTH CARE; HEALTH CARE SERVICES, NAMELY, DISEASE MANAGEMENT PROGRAMS; MAKING RESERVATIONS AND BOOKINGS FOR OTHERS FOR PHYSICIAN AND CLINICAL APPOINTMENTS; PROVISION OF HEALTH CARE AND MEDICAL SERVICES BY HEALTH CARE PROFESSIONALS VIA THE INTERNET OR TELECOMMUNICATION NETWORKS; REMOTE MONITORING OF DATA INDICATIVE OF THE HEALTH OR CONDITION OF AN INDIVIDUAL FOR MEDICAL DIAGNOSIS AND TREATMENT PURPOSES; WELLNESS AND HEALTH-RELATED CONSULTING SERVICES; EMERGENCY MEDICAL ASSISTANCE; EMERGENCY MEDICAL RESPONSE SERVICES; CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE DOCTOR'S APPOINTMENT REMINDER SERVICES

FILING BASIS	Section 1(b)
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**GOODS AND/OR SERVICES SECTION (044)(proposed)**

INTERNATIONAL CLASS	044
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**TRACKED TEXT DESCRIPTION**

HEALTH CARE SERVICES, NAMELY, PROVIDING A DATA BASE OF HEALTH CARE PROVIDERS BASED ON SPECIALTY, SUB SPECIALTY AND SPECIFIC INTEREST AND FEATURING INPUTTING AND COLLECTION OF DATA AND INFORMATION ALL FOR TREATMENT AND DIAGNOSTIC PURPOSES; INTERNET-BASED HEALTH CARE INFORMATION SERVICES; PROVIDING HEALTH CARE INFORMATION BY TELEPHONE AND THE INTERNET; PROVIDING HEALTH INFORMATION; PROVIDING INFORMATION, NEWS AND COMMENTARY IN THE FIELD OF NUTRITION, HEALTH AND WELLNESS; CONSULTING SERVICES IN THE FIELD OF HEALTH; HEALTH CARE; HEALTH CARE SERVICES, NAMELY, DISEASE MANAGEMENT PROGRAMS; MAKING RESERVATIONS AND BOOKINGS FOR OTHERS FOR PHYSICIAN AND CLINICAL APPOINTMENTS; PROVISION OF HEALTH CARE AND MEDICAL SERVICES BY HEALTH CARE PROFESSIONALS VIA THE INTERNET OR TELECOMMUNICATION NETWORKS; REMOTE MONITORING OF DATA INDICATIVE OF THE HEALTH OR CONDITION OF AN INDIVIDUAL FOR MEDICAL DIAGNOSIS AND TREATMENT PURPOSES; WELLNESS AND HEALTH-RELATED CONSULTING SERVICES; EMERGENCY MEDICAL ASSISTANCE; EMERGENCY MEDICAL RESPONSE SERVICES; ~~CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE DOCTOR'S APPOINTMENT REMINDER SERVICES~~; CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE DOCTOR'S APPOINTMENT REMINDER SERVICES

**FINAL DESCRIPTION**

HEALTH CARE SERVICES, NAMELY, PROVIDING A DATA BASE OF HEALTH CARE PROVIDERS BASED ON SPECIALTY, SUB SPECIALTY AND SPECIFIC INTEREST AND FEATURING INPUTTING AND COLLECTION OF DATA AND INFORMATION ALL FOR TREATMENT AND DIAGNOSTIC PURPOSES; INTERNET-BASED HEALTH CARE INFORMATION SERVICES; PROVIDING HEALTH CARE INFORMATION BY TELEPHONE AND THE INTERNET; PROVIDING HEALTH INFORMATION; PROVIDING INFORMATION, NEWS AND COMMENTARY IN THE FIELD OF NUTRITION, HEALTH AND WELLNESS; CONSULTING SERVICES IN THE FIELD OF HEALTH; HEALTH CARE; HEALTH CARE SERVICES, NAMELY, DISEASE MANAGEMENT PROGRAMS; MAKING RESERVATIONS AND BOOKINGS FOR OTHERS FOR PHYSICIAN AND CLINICAL APPOINTMENTS; PROVISION OF HEALTH CARE AND MEDICAL SERVICES BY HEALTH CARE PROFESSIONALS VIA THE INTERNET OR

TELECOMMUNICATION NETWORKS; REMOTE MONITORING OF DATA INDICATIVE OF THE HEALTH OR CONDITION OF AN INDIVIDUAL FOR MEDICAL DIAGNOSIS AND TREATMENT PURPOSES; WELLNESS AND HEALTH-RELATED CONSULTING SERVICES; EMERGENCY MEDICAL ASSISTANCE; EMERGENCY MEDICAL RESPONSE SERVICES; CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE DOCTOR'S APPOINTMENT REMINDER SERVICES	
FILING BASIS	Section 1(b)
<b>ADDITIONAL STATEMENTS SECTION</b>	
MISCELLANEOUS STATEMENT	As the Examining Attorney has twice made the requirement for disclaimer, it may be treated as, and Applicant considers it to be, final. Following the filing of this Amendment, Applicant therefore will file an appeal to this (sole) outstanding issue. To the extent required to avoid abandonment, Applicant expressly reiterates that "TOPDOC" is not merely descriptive of Applicant's services, and therefore, the requirement for disclaimer should not be maintained.
<b>SIGNATURE SECTION</b>	
RESPONSE SIGNATURE	/Marsha G. Gentner/
SIGNATORY'S NAME	Marsha G. Gentner
SIGNATORY'S POSITION	Attorney of record, District of Columbia bar member
SIGNATORY'S PHONE NUMBER	2029068611
DATE SIGNED	08/03/2016
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Wed Aug 03 17:10:26 EDT 2016
TEAS STAMP	USPTO/ROA-XX.XXX.XX.XX-20 160803171026895982-868023 55-5506b34cf7bdbf69dec8e5 7fccccca2cd94d817eec197310 1a6479240e4ab19a5-N/A-N/A -20160803163551710482

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PTO Form 1957 (Rev 10/2011)

OMB No. 0651-0050 (Exp 07/31/2017)

## Response to Office Action

### To the Commissioner for Trademarks:

Application serial no. **86802355** TOP DOC CONNECT (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/86802355/large>) has been amended as follows:

### CLASSIFICATION AND LISTING OF GOODS/SERVICES

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 035 for PHYSICIAN REFERRALS; APPOINTMENT SCHEDULING SERVICES; MAINTAINING A REGISTRY AND DATA BASE OF PHYSICIANS BY SPECIALTY, SUB SPECIALTY, AND SPECIFIC INTEREST, FOR THE PURPOSE OF ASSISTING PROSPECTIVE PATIENTS IN MAKING PHYSICIAN AND CLINICAL SELECTION DECISIONS; CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE COORDINATION OF APPOINTMENTS; CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, REFERRALS TO A PANEL OF EXPERTS FOR INPUT AND ASSISTANCE AND OBJECTIVE INFORMATION AND HEALTH CARE DECISION SUPPORT, VIRTUAL EXPERT SECOND OPINIONS, COMPREHENSIVE PHYSICALS, AND HEALTH CARE PROVIDER SELECTIONS, AND ASSISTANCE IN FOLLOW UP CARE

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

**Proposed:**

**Tracked Text Description:** PHYSICIAN REFERRALS; APPOINTMENT SCHEDULING SERVICES; MAINTAINING A REGISTRY AND DATA BASE OF PHYSICIANS BY SPECIALTY, SUB SPECIALTY, AND SPECIFIC INTEREST, FOR THE PURPOSE OF ASSISTING PROSPECTIVE PATIENTS IN MAKING PHYSICIAN AND CLINICAL SELECTION DECISIONS; ~~CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE COORDINATION OF APPOINTMENTS;~~ CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE COORDINATION OF APPOINTMENTS; ~~CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, REFERRALS TO A PANEL OF EXPERTS FOR INPUT AND ASSISTANCE AND OBJECTIVE INFORMATION AND HEALTH CARE DECISION SUPPORT, VIRTUAL EXPERT SECOND OPINIONS, COMPREHENSIVE PHYSICALS, AND HEALTH CARE PROVIDER SELECTIONS, AND ASSISTANCE IN FOLLOW UP CARE;~~ CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, REFERRALS TO A PANEL OF EXPERTS FOR INPUT AND ASSISTANCE AND OBJECTIVE INFORMATION AND HEALTH CARE DECISION SUPPORT, VIRTUAL EXPERT SECOND OPINIONS, COMPREHENSIVE PHYSICALS, AND HEALTH CARE PROVIDER SELECTIONS, AND ASSISTANCE IN FOLLOW UP CARE

Class 035 for PHYSICIAN REFERRALS; APPOINTMENT SCHEDULING SERVICES; MAINTAINING A REGISTRY AND DATA BASE OF PHYSICIANS BY SPECIALTY, SUB SPECIALTY, AND SPECIFIC INTEREST, FOR THE PURPOSE OF ASSISTING PROSPECTIVE PATIENTS IN MAKING PHYSICIAN AND CLINICAL SELECTION DECISIONS; CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE COORDINATION OF APPOINTMENTS; CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, REFERRALS TO A PANEL OF EXPERTS FOR INPUT AND ASSISTANCE AND OBJECTIVE INFORMATION AND HEALTH CARE DECISION SUPPORT, VIRTUAL EXPERT SECOND OPINIONS, COMPREHENSIVE PHYSICALS, AND HEALTH CARE PROVIDER SELECTIONS, AND ASSISTANCE IN FOLLOW UP CARE

**Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 044 for HEALTH CARE SERVICES, NAMELY, PROVIDING A DATA BASE OF HEALTH CARE PROVIDERS BASED ON SPECIALTY, SUB SPECIALTY AND SPECIFIC INTEREST AND FEATURING INPUTTING AND COLLECTION OF DATA AND INFORMATION ALL FOR TREATMENT AND DIAGNOSTIC PURPOSES; INTERNET-BASED HEALTH CARE INFORMATION SERVICES; PROVIDING HEALTH CARE INFORMATION BY TELEPHONE AND THE INTERNET; PROVIDING HEALTH INFORMATION; PROVIDING INFORMATION, NEWS AND COMMENTARY IN THE FIELD OF NUTRITION, HEALTH AND WELLNESS; CONSULTING SERVICES IN THE FIELD OF HEALTH; HEALTH CARE; HEALTH CARE SERVICES, NAMELY, DISEASE MANAGEMENT PROGRAMS; MAKING RESERVATIONS AND BOOKINGS FOR OTHERS FOR PHYSICIAN AND CLINICAL APPOINTMENTS; PROVISION OF HEALTH CARE AND MEDICAL SERVICES BY HEALTH CARE PROFESSIONALS VIA THE INTERNET OR TELECOMMUNICATION NETWORKS; REMOTE MONITORING OF DATA INDICATIVE OF THE HEALTH OR CONDITION OF AN INDIVIDUAL FOR MEDICAL DIAGNOSIS AND TREATMENT PURPOSES; WELLNESS AND HEALTH-RELATED CONSULTING SERVICES; EMERGENCY MEDICAL ASSISTANCE; EMERGENCY MEDICAL RESPONSE SERVICES; CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE DOCTOR'S APPOINTMENT REMINDER SERVICES

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a

bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

#### **Proposed:**

**Tracked Text Description:** HEALTH CARE SERVICES, NAMELY, PROVIDING A DATA BASE OF HEALTH CARE PROVIDERS BASED ON SPECIALTY, SUB SPECIALTY AND SPECIFIC INTEREST AND FEATURING INPUTTING AND COLLECTION OF DATA AND INFORMATION ALL FOR TREATMENT AND DIAGNOSTIC PURPOSES; INTERNET-BASED HEALTH CARE INFORMATION SERVICES; PROVIDING HEALTH CARE INFORMATION BY TELEPHONE AND THE INTERNET; PROVIDING HEALTH INFORMATION; PROVIDING INFORMATION, NEWS AND COMMENTARY IN THE FIELD OF NUTRITION, HEALTH AND WELLNESS; CONSULTING SERVICES IN THE FIELD OF HEALTH; HEALTH CARE; HEALTH CARE SERVICES, NAMELY, DISEASE MANAGEMENT PROGRAMS; MAKING RESERVATIONS AND BOOKINGS FOR OTHERS FOR PHYSICIAN AND CLINICAL APPOINTMENTS; PROVISION OF HEALTH CARE AND MEDICAL SERVICES BY HEALTH CARE PROFESSIONALS VIA THE INTERNET OR TELECOMMUNICATION NETWORKS; REMOTE MONITORING OF DATA INDICATIVE OF THE HEALTH OR CONDITION OF AN INDIVIDUAL FOR MEDICAL DIAGNOSIS AND TREATMENT PURPOSES; WELLNESS AND HEALTH-RELATED CONSULTING SERVICES; EMERGENCY MEDICAL ASSISTANCE; EMERGENCY MEDICAL RESPONSE SERVICES; ~~CLINICAL AND HEALTH CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE DOCTOR'S APPOINTMENT REMINDER SERVICES;~~ CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE DOCTOR'S APPOINTMENT REMINDER SERVICES

Class 044 for HEALTH CARE SERVICES, NAMELY, PROVIDING A DATA BASE OF HEALTH CARE PROVIDERS BASED ON SPECIALTY, SUB SPECIALTY AND SPECIFIC INTEREST AND FEATURING INPUTTING AND COLLECTION OF DATA AND INFORMATION ALL FOR TREATMENT AND DIAGNOSTIC PURPOSES; INTERNET-BASED HEALTH CARE INFORMATION SERVICES; PROVIDING HEALTH CARE INFORMATION BY TELEPHONE AND THE INTERNET; PROVIDING HEALTH INFORMATION; PROVIDING INFORMATION, NEWS AND COMMENTARY IN THE FIELD OF NUTRITION, HEALTH AND WELLNESS; CONSULTING SERVICES IN THE FIELD OF HEALTH; HEALTH CARE; HEALTH CARE SERVICES, NAMELY, DISEASE MANAGEMENT PROGRAMS; MAKING RESERVATIONS AND BOOKINGS FOR OTHERS FOR PHYSICIAN AND CLINICAL APPOINTMENTS; PROVISION OF HEALTH CARE AND MEDICAL SERVICES BY HEALTH CARE PROFESSIONALS VIA THE INTERNET OR TELECOMMUNICATION NETWORKS; REMOTE MONITORING OF DATA INDICATIVE OF THE HEALTH OR CONDITION OF AN INDIVIDUAL FOR MEDICAL DIAGNOSIS AND TREATMENT PURPOSES; WELLNESS AND HEALTH-RELATED CONSULTING SERVICES; EMERGENCY MEDICAL ASSISTANCE; EMERGENCY MEDICAL RESPONSE SERVICES; CLINICAL AND HEALTH CARE CONCIERGE SERVICES, NAMELY, APPOINTMENT SCHEDULING SERVICES THAT INVOLVE DOCTOR'S APPOINTMENT REMINDER SERVICES

**Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

#### **ADDITIONAL STATEMENTS**

##### **Miscellaneous Statement**

As the Examining Attorney has twice made the requirement for disclaimer, it may be treated as, and Applicant considers it to be, final. Following the filing of this Amendment, Applicant therefore will file an appeal to this (sole) outstanding issue. To the extent required to avoid abandonment, Applicant expressly reiterates that "TOPDOC" is not merely descriptive of Applicant's services, and therefore, the requirement for disclaimer should not be maintained.

#### **SIGNATURE(S)**

##### **Response Signature**

Signature: /Marsha G. Gentner/ Date: 08/03/2016

Signatory's Name: Marsha G. Gentner

Signatory's Position: Attorney of record, District of Columbia bar member

Signatory's Phone Number: 2029068611

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 86802355

Internet Transmission Date: Wed Aug 03 17:10:26 EDT 2016

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A-N/A-20160803163551710482